

REMARKS

Claims 1-29 are pending. Of those, claims 1, 13, 20-24 and 26 are independent. By this reply, claims 28-29 have been added.

Objection to Abstract

On page 2 of the Office Action, the abstract has been objected to as exceeding 150 words. By this reply, the abstract has been reduced in length below 150 words. Accordingly, withdrawal of this objection is requested.

§112, Second Paragraph, Rejection

On page 2 of the Office Action, claims 6 is rejected because the Examiner considers there to be an insufficient antecedent basis for the phrase "said CGI script calls the Wireless Automation Management Interpreter (WAMI)."

Claim 4, from which claim 6 indirectly depends, recites "a CGI script." As such, Applicant infers that the portion "said CGI script" of the objected-to phrase is not the portion that has given rise to the rejection. As such, by this reply, Applicant has clarified claim 6 by changing the phrase "the Wireless" to -a Wireless--.

In view of the foregoing remarks, withdrawal of this rejection is requested.

Rejections based upon Cooper Patent

Beginning on page 3 of the Office Action, the Examiner has rejected various claims under §102(e) as being anticipated by U.S. Patent No. 6,101,503 to Cooper et al. (the "Cooper patent"), or under §103(a) as being anticipated by a combination of references each of which has the Cooper patent as the primary reference. Applicant traverses.

The Cooper patent is directed toward highlighting search terms in documents appearing on a hit list assembled by a search engine. The Cooper patent discloses that data objects (such as HTML radio buttons) corresponding

to the search terms are inserted at the top of a document appearing on the hit list. Someone viewing the document can click one of the radio buttons, which causes the text of the search term corresponding to that button to be passed to a JavaScript program that, in turn, calls a Java program that makes a relationship query to a database on the server. See, e.g., lines 51-60 of column 4.

The Examiner has drawn Applicant's attention to the following passage of the Cooper patent (from line 61 of column 4, to line 8 of column 5, underlined emphasis added):

This query results in more information about the term/name, associated with the respective form object, to be sent to the user/client. In a preferred embodiment, the markup engine (300) inserts references to Java code (345) from a template file (340) at the top of the document. (Also see template files 340 located on the server in FIG. 1.) To explain further, these form objects may be in any web page scripting language such as JavaScript and when activated, make calls to the Java or other web-page executable language programs referenced by the template file. These programs can then be used to make calls to the server to fetch and display information regarding any aspect of the marked terms. As stated above, this marked up document is returned to the user (245) through the web server (170) and displayed by a web browser program (250).

The query mentioned in the passage cited by the Examiner refers to the database inquiry made as a result of the user clicking a radio button in a document appearing on the hit list. As such, the phrase "These programs ..." explicitly mentioned in the passage quoted by the Examiner refers to the JavaScript program that responds to a user clicking on a radio button as well as the Java program that makes the corresponding database inquiry. As will be explained below, Applicant is claiming something different.

Independent claim 1, in part, recites that the server receives the request that includes text representing an executable file. Applicant is willing to assume for the sake of argument that the Cooper patent discloses a server that receives a request that includes a relationship query intended for a database. But a request that includes a relationship query cannot reasonably be

interpreted as a request that includes text representing an executable file. As such, the recitation in claim 1 of "the server receiving a request, including said text, from said web browser," the antecedent basis for "said text" being "text representing and executable and file," represents a distinction over the Cooper patent.

Independent claim 13 recites a similar distinction over the Cooper patent, namely "the web browser making a request to said server that includes said text representing an executable file." Claims 2, 7 and 10, respectively, depend at least indirectly from claim 1 and inherit the distinction noted above, by dependency. Claims 14, 15 and 17 depend from claim 13, respectively, and inherit the distinction noted above by dependency, respectively.

Similarly, by dependency, claims 20-23 respectively inherit the distinction over the Cooper patent noted above.

Thus, the §102(e)¹ rejection of claims 1, 2, 7, 10, 13-15, 17 and 20-23 is improper and Applicant requests that it be withdrawn.

Claims 3-6, 8-9, 11-12, 16 and 18-19 are rejected² over combinations of references each of which includes the Cooper patent as the primary reference. None of the applied references has been, or could be, used as a teaching of the distinction over the Cooper patent noted above. As such, that distinction also distinguishes over the various secondary references. Accordingly, the various §103 rejections of claims 3-6, 8-9, 11-12, 16 and 18-19 over combinations of references each of which are based upon the Cooper patent, respectively, are improper and Applicant requests that they be withdrawn.

Rejections based upon Potts Patent

Beginning on page 6 of the Office Action, claims are rejected either under §102(e) as being anticipated by the U.S. Patent No. 6,516,339 to Potts, Jr. et al. (the "Potts patent") or under §103(a) over a combination of references for which the Potts patent is the primary reference. Applicant traverses.

¹ The rejection begins on page 3 of the Office Action.

² Beginning at page 8 of the Office Action.

The Examiner has drawn Applicant's attention to lines 29-33 of column 1 of the Potts patent, of which lines 29-33 are reprinted below:

An example of a client/server computing model is the World Wide Web (Web) on the Internet. A Web browser resident on a client computer communicates with a Web server which typically queries back-end systems and returns the results of the queries back to the client.

Nothing about the Potts patent discloses examples, or more generally the nature, of the back-end systems. Nor does anything about the Potts patent disclose the nature of the query made by the server to the back-end systems.

Independent claim 24, in part, recites a method of at least one of testing and manipulating parameters of a separate system connected to the server. Applicant is willing to assume for the sake of argument that a back-end system according to the Potts patent could correspond to the separate system recited in claim 24. But Applicant disagrees that the query disclosed by the Potts patent of the back-end system represents at least one of testing and manipulating parameters of the back-end system. This is simply not present in the literal disclosure of the Potts patent.

Under U.S. patent law, an aspect not literally disclosed by a reference is considered to be inherently present if the difference between what is literally disclosed and what is claimed necessarily follows from that which is literally disclosed by the reference. Here, it is unreasonable to assert that at least one of testing and manipulating parameters of the back-end system necessarily follows from the statement: "Web server which typically queries back-end systems and returns the results of the queries back to the client." To the extent that the Examiner disagrees, Applicant challenges the Examiner to present reasoning explaining how the claimed aspect of "at least one of testing and manipulating parameters of said separate system" necessarily follows from what is literally disclosed by the Potts patent. To reiterate, it does not necessarily flow.

Independent claim 26 recites a correspondingly similar method of at least one of testing and manipulating parameters of the separate system.

In view of the foregoing discussion, the §102(e) rejection³ of claims 24 and 26 over the Potts patent is improper and Applicant requests that it be withdrawn.

Beginning on page 16 of the Office Action, claims 25 and 27 are rejected under §103(a)⁴ as being obvious over the Potts patent in view of U.S. Patent No. 6,269,254 to Mathis (the "Mathis patent"). Applicant traverses.

The Mathis patent has not been, nor could it be, cited as a disclosure of the distinction over the Potts patent noted above. As such, the §103 rejection of claims 25-27 based upon the combination of the Potts and Mathis patents is improper and Applicant requests that it be withdrawn.

New Claims 28-29

Again, claims 28-29 have been added by this reply. Claims 28-29 depend from independent claims 24 and 26, and inherit the noted distinction by dependency, respectively.

In the alternative, the following comments are presented. For the server of the Potts patent to query a back-end system, the server must run an executable file resident on a host computer that hosts the server. In the typical client/server architecture, such an executable file that is run by the server to generate a query has been placed upon the server by the server administrator.

A respective distinction of claims 28 and 29 over the Potts patent is the following, which applies prior to the request to execute the executable file, namely: the executable was brought into existence on the server based upon text, representing the executable file, that was received-from-provided-by the web browser.

³ Beginning on page six of the Office Action

⁴ Though item 13 literally recites "§102(e)," Applicant has inferred that this is a typographical error and that the Examiner intended to recite §103(a).

CONCLUSION

The issues in the case were considered to be resolved. Accordingly, Applicant again requests a Notice of Allowability.

Person to Contact

In the event that any matters remain at issue in the application, the Examiners are invited to contact the undersigned at (703) 668-8000 in the Northern Virginia area, for the purpose of a telephonic interview.

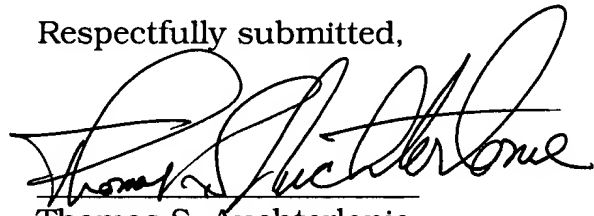
If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

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Respectfully submitted,

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